201204253 Lynn Ruger

On March 3, 2012, a man bought a loose cigarette from a bodega and went to his mother's apartment. As he approached, he was stopped by two police officers who stopped him, frisked him, and searched him. The officers found no contraband and let him in to his apartment.

The officer who conducted the search, PO Lynn Ruger, stated that she had recognized the man from arresting him years before and that she believed him to be a gang member. She provided a number of statements that would haven given her reasonable suspicion to frisk him such as bulges in his clothing. She also stated that when she approached and asked to speak to him he turned his back to her and "his back was towards me, so he could have had a shotgun there." She stated that she had only frisked (patted down) the man and had not searched him by going through his pockets.

The security video from the apartment building showed that PO Ruger's entire description of the incident was false. The man was facing her from the time she arrived to the time she forcibly turned him around. The video further demonstrates that she searched him, putting her hands in the pockets of his hoodie. When shown the video of her putting her hand in the man's pocket, she denied she had done so, saying "that's possibly a t-shirt or something."

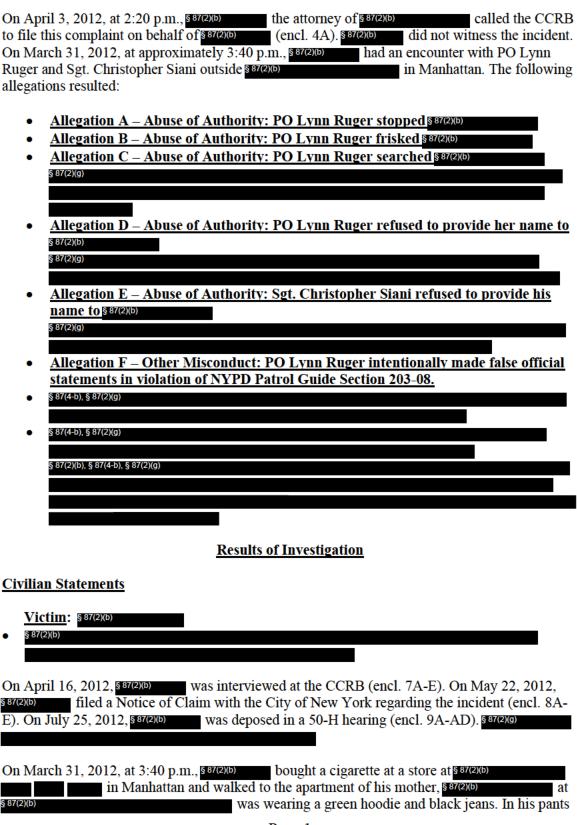
When confronted with the video, which demonstrated that all of the justifications she had given for the stop were false, PO Ruger testified that, "Like, I remember knowing that I had suspicion that he had a weapon." Beyond the fact that she had previously arrested the man and believed him to be a gang member, she did not articulate any reason for the stop that was not contradicted by the video.

The CCRB found that PO Ruger had made a false official statement about the circumstances of the stop and frisk. The NYPD did not discipline PO Ruger for any part of the incident. She was later promoted to Sergeant before leaving the NYPD in 2020.

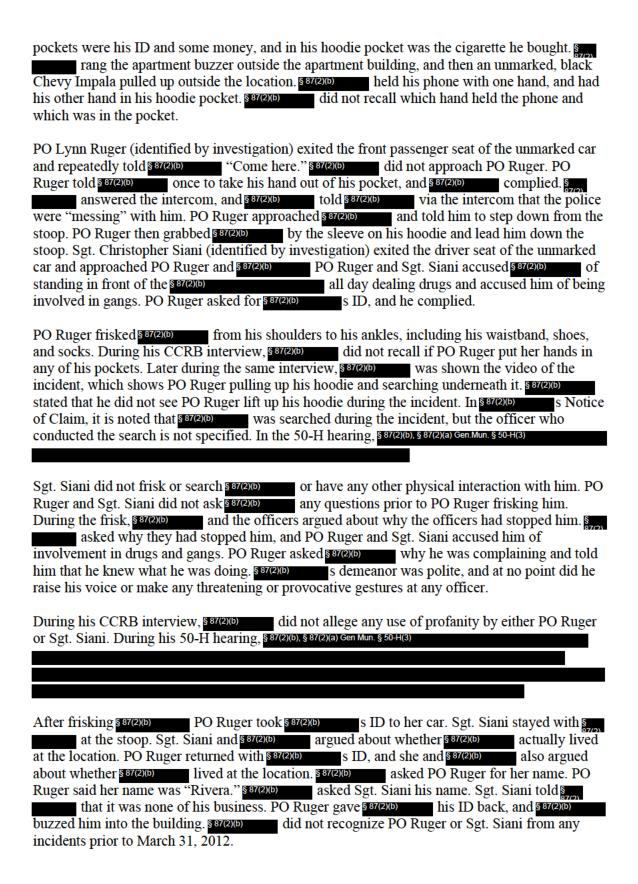
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Fore	ce	□ D	iscourt.	☐ U.S.
Patrick Harrison		Team # 2	201204253	☑ Abu	ise	□ O	.L.	☐ Injury
Incident Date(s)		Location of Incident:	•	Preci	nct:	18 M	o. SOL	EO SOL
Sat, 03/31/2012 3:40 PM, Mon	n, 04/02/2012			32		09/30	0/2013	9/30/2013
Date/Time CV Reported		CV Reported At:	How CV Reported	: Date	/Time I	Receive	ed at CCI	RB
Tue, 04/03/2012 2:20 PM		CCRB	Phone	Tue,	04/03/2	2012 2	2:20 PM	
Complainant/Victim	Type	Home Addre	ess					
Witness(es)		Home Addre	ess					_
Subject Officer(s)	Shield	TaxID	Command					
•		§ 87(2)(b)						
 POF Lynn Ruger SGT Christophe Siani 	26344 04029	§ 87(2)(b)	PBMN AC PBMN AC					
*			1 Divity / IC					
Officer(s)	Allegati	on			Inves	tigato	r Recon	nmendation
A. POF Lynn Ruger	Abuse of	f Authority: PO Lynn Ru	iger stopped § 87(2)(b)		A. §8	37(2)(g)		
B . POF Lynn Ruger	Abuse of	f Authority: PO Lynn Ru	ıger frisked ^{§ 87(2)(b)}		B. §8	37(2)(g)		
C. POF Lynn Ruger	Abuse of	f Authority: PO Lynn Ru	iger searched § 87(2)(b)		C.§8	87(2)(g)		
D . POF Lynn Ruger	Abuse of Authority: PO Lynn Ruger refused to provide her D. §87(2)(9) name to §87(2)(b)							
E . SGT Christophe Siani	Abuse of his name	f Authority: Sgt. Christo e to § 87(2)(b)	phe Siani refused to	provide	E. §8	37(2)(g)		
F. POF Lynn Ruger		O Lynn Ruger intentionates in violation of NYPD			F. §8	7(2)(g)		
§ 87(4-b), § 87(2)(g)								
§ 87(4-b), § 87(2)(g)								

Case Summary



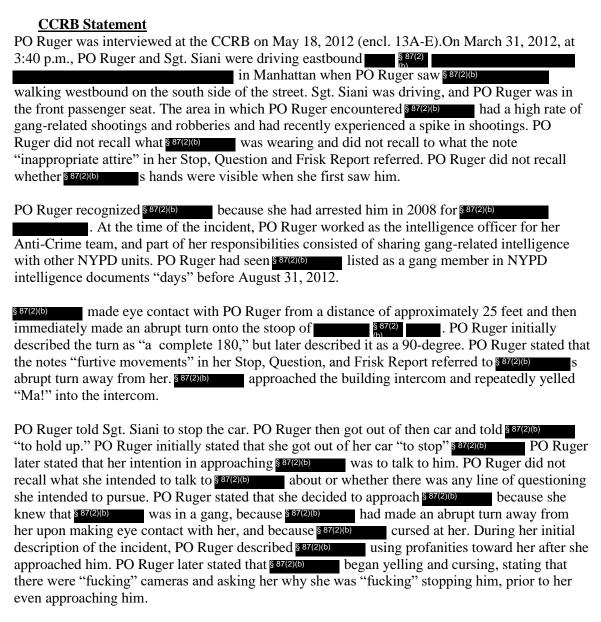
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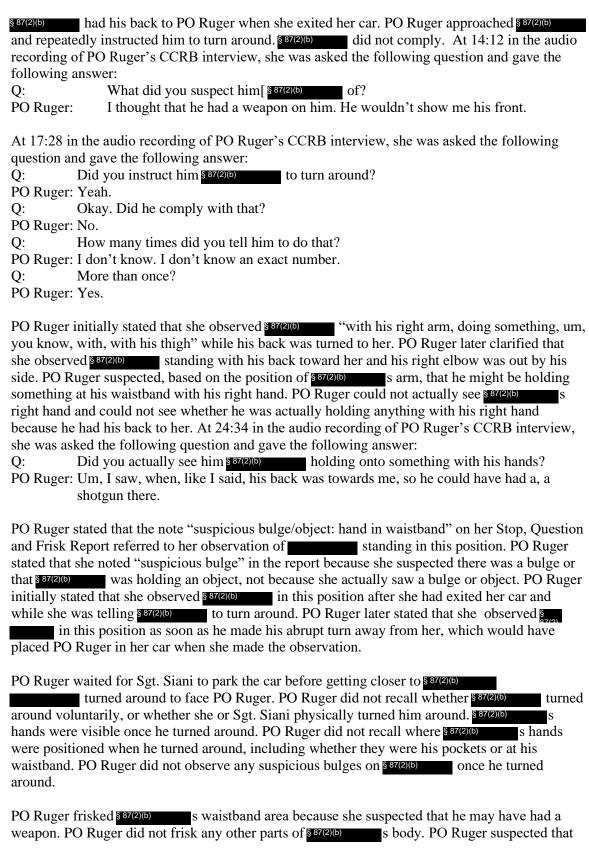
After \$87(2)(b) provided the above statement, he viewed a surveillance video recording of the incident which \$87(2)(b) provided the CCRB. (See Surveillance Video in this report for a summary of the recording.) \$87(2)(b) stated that he had not seen the recording prior to his CCRB interview. The video shows that two police scooters arrived at the location after \$37(2)(b) stated that he had no interaction with the officers in the scooters did not take any actions during the incident.
Witness: § 87(2)(b) • § 87(2)(b)
On August 29, 2012, provided a phone statement (encl. 10A). was not asked to provide a verified statement because she did not witness any of the alleged acts of misconduct.
On March 31, 2012, at approximately 3:40 p.m., ser(2)(b) was in her home at in Manhattan when her intercom rang. heard state over the intercom that it was him. ser(2)(b) pressed the button on the intercom to buzz ser(2)(b) in. A few seconds later, the intercom rang again. heard over the intercom talking to someone else (she did not know how) in an argumentative tone, but she did not recall what ser(2)(b) said. ser(2)(b) again pressed the button on the intercom to buzz stat anything over the intercom, and did not hear any officer state his or her name or shield number over the intercom. ser(2)(b) did not say anything to any officers over the intercom and did not recall if she said anything to ser(2)(b) over the intercom.
then went to her bedroom and viewed on her television a live video feed from a security camera posted outside the front door of the apartment building. It was not possible to watch the video feed while using the building intercom because the television and the intercom were in separate rooms. On the video feed, saw standing at the top of the building stoop and PO Ruger and Sgt. Siani (both identified by investigation) standing on the sidewalk approximately two steps from the stoop. Standing on the stoop did not realize that PO Ruger and Sgt. Siani were police officers and did not see them have any physical contact with then looked out a window in her apartment overlooking the building entrance but did not see anyone outside the building. Standing. Standing on the stoop then entered the apartment and told then entered the apartment and told that he had been stopped and frisked by the police.
NYPD Statements:
 Subject Officer: PO LYNN RUGER PO Ruger, a white woman who stands 5'9" tall, weighs 164 lbs., and has blonde hair and hazel eyes, was stricted old at the time of the incident. Worked on March 31, 2012, from 2:00 p.m. to 10:35 p.m., assigned to Patrol Borough Manhattan North Anti-Crime in a black Chevy Impala #\$87(2) with Sgt. Christopher Siani, in plainclothes.
Memo Book Entries At 3:40 p.m., \$87(2)(b) date of birth \$87(2) (encl. 11A-C).

Stop, Question and Frisk Report

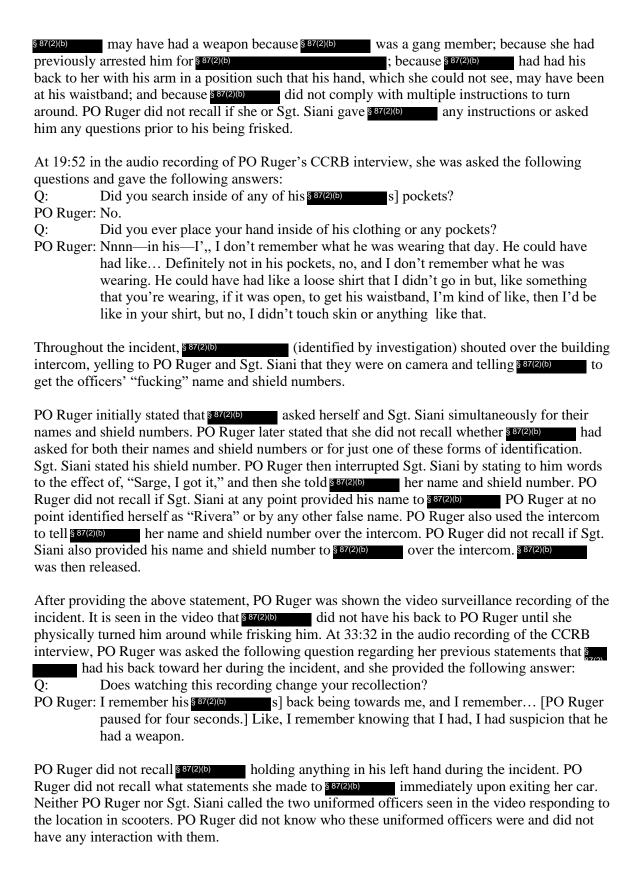
A Stop, Question and Frisk report prepared by PO Ruger regarding the incident notes that was stopped and frisked but was not searched. The pedigree information for sarce "gang member" under the heading "Other (Scars, Tattoos, Etc.)" The report notes that was suspected of criminal possession of a weapon and lists as the circumstances leading to the stop "furtive movements" and "suspicious bulge/object: hand in waistband." The report lists as the reasons for the frisk "inappropriate attire – possibly concealing weapon" and "furtive movements." PO Ruger did not check the box noting "Refusal to comply with officer's directions leading to reasonable fear for safety" in the section of the report for listing reasons for the frisk. Additional circumstances noted are "area has high incidence of reported offense of type under investigation" (encl. 12A-B).



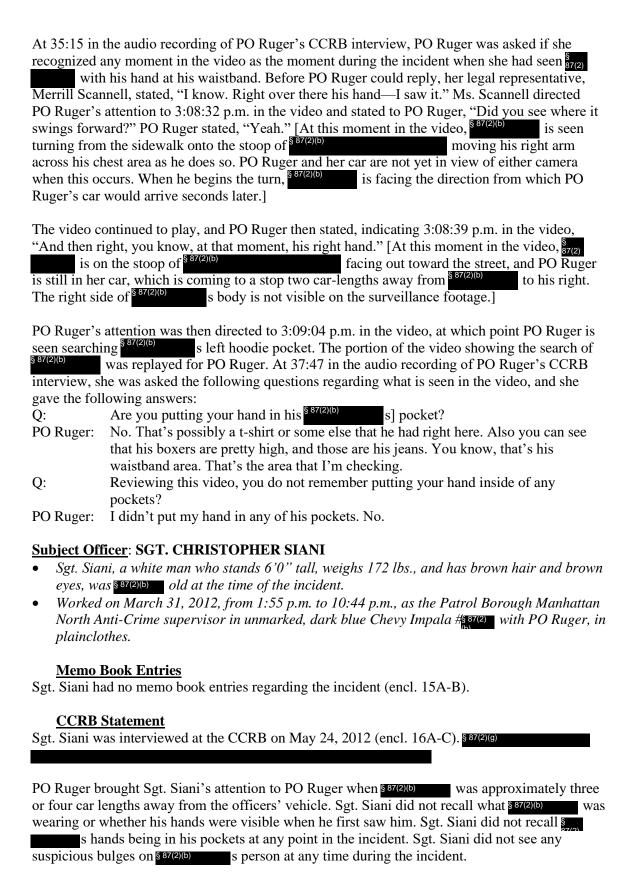
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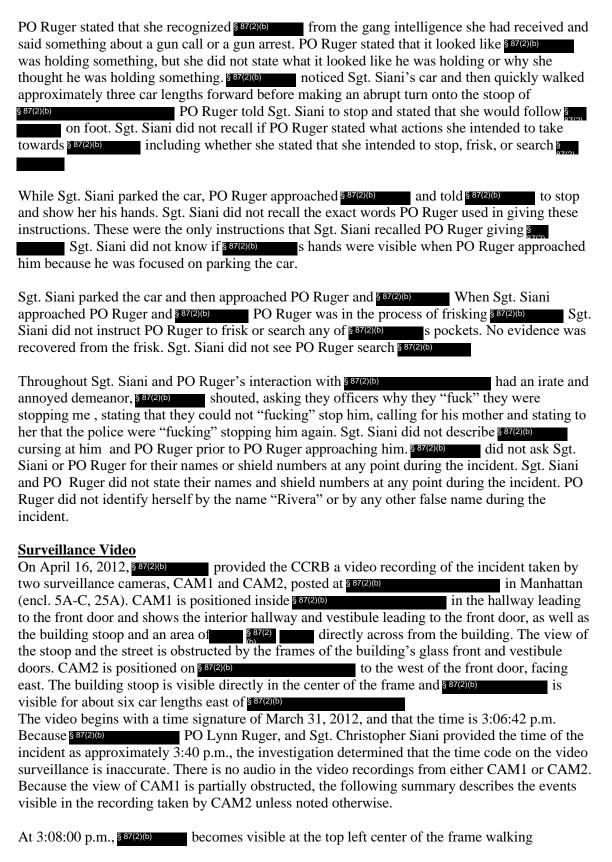
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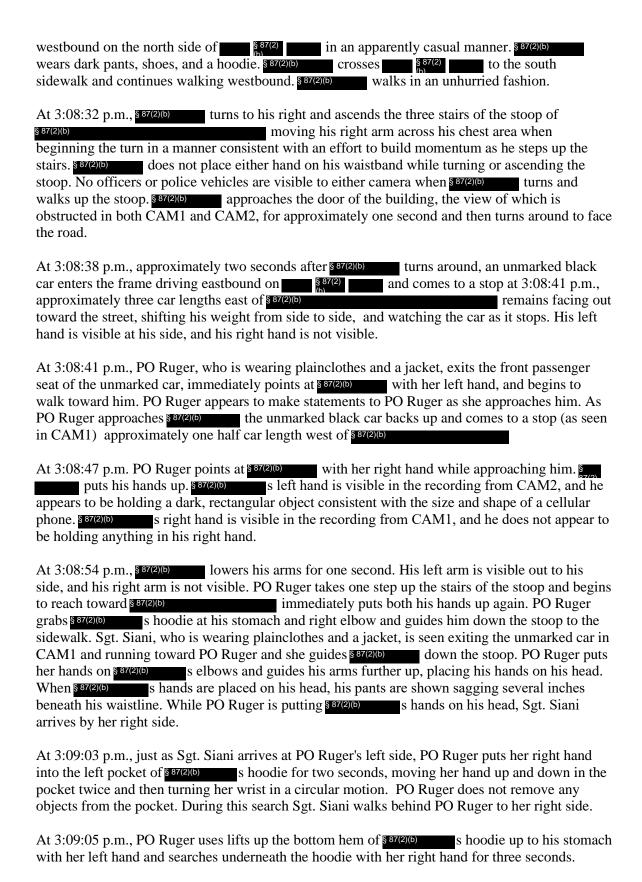
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At 3:09:09 p.m., PO Ruger reaches toward \$87(2)(b) s groin area with her left arm, while keeping her right arm under \$87(2)(b) s hoodie. In CAM 1, PO Ruger's hand is visible grabbing \$87(2)(b) s pants by his left groin. \$87(2)(b) briefly drops his hands to his sides. PO Ruger begins to guide \$87(2)(b) s hands back up, and \$87(2)(b) voluntarily puts his hands back up. PO Ruger then grabs \$87(2)(b) s pants in the area of his left pants pocket.
At 3:09:14 p.m., PO Ruger physically turns around 180 degrees such that his back is toward her and he is facing sozzo This is the only time that sozzo who has been facing PO Ruger since her car arrived into view of the surveillance cameras, has his back to her during their interaction. PO Ruger then bends down, frisks sozzo s legs by his ankles, and appears to be making statements to him.
At 3:09:27 p.m., PO Ruger grabs signal arm with her left arm and guides him toward the stoop with a light push. PO Ruger releases signal and signal and the officers walk up the stoop. signal then gives PO Ruger what appears to be his ID card.
At 3:09:32 p.m., PO Ruger walks away from the stoop with street, leaving the frame of CAM2. CAM1 shows PO Ruger going to her unmarked car and retrieving a pen and her memo book from the car. From 3:09:32 p.m. to 3:10:09 p.m., Sgt. Siani and are visible in CAM2, standing at the top of the stoop. Street is facing the camera and appears to make statements to Sgt. Siani. Sgt. Siani stands with his back to CAM2, and it cannot be seen whether he makes any statements to Street.
At 3:10:09 p.m., PO Ruger walks back into view of CAM2, approaches 87(2)(6) and hands his ID. PO Ruger, Sgt. Siani, and 87(2)(6) have a conversation that lasts one minute, during which PO Ruger stands on the sidewalk and Sgt. Siani and 87(2)(6) stand on the stoop.
At 3:10:31 p.m., a marked police scooter pulls into view on the left side of the frame of CAM2, heading eastbound on At 3:10:43 p.m., and stops approximately three car lengths east of At 3:10:43 p.m., a second marked police scooter arrives next to the first scooter. At 3:11:03 p.m., an unidentified, uniformed officer exits the first scooter and stands by the scooter. The officer does not approach or appear to have any interaction with PO Ruger, Sgt. Siani, and S87(2)(6)
At 3:11:10 p.m., PO Ruger and Sgt. Siani walk away from \$87(2)(b) enter their car, and drive away. \$87(2)(b) enters \$87(2)(b)
NYPD Documents
Arrest Report Records § 87(2)(a) CPL 160.50
(encl. 20A-C). Status of Civil Proceedings
Status of Civil I loctum <u>e</u> s

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•	bot	the this incident and a separate incident that occurred on April 2, 2012 and seeking 000,000 as redress. A 50-H hearing was held on July 25, 2012 (encl. 8A-E).
<u>Ci</u> •	As	n Criminal History of August 30, 2012, Office of Court Administration records reveal the following criminal exercises for \$87(2)(b)
	-	
	•	
<u>Ci</u> •		n CCRB Histories is is the first CCRB complaint in which \$87(2)(b) has been named as a victim. \$87(2)(b) has not filed any previous complaints (encl. 4A).
<u>Su</u>		t Officer CCRB Histories Ruger has been a member of the service for seven years (encl. 3A).
	O	§ 87(4-b), § 87(2)(g)
		In CCRB case 200903116, one allegation of a retaliatory arrest was substantiated. The NYPD declined to prosecute PO Ruger.
•	Sgt	t. Siani has been a member of the service for fifteen years (encl. 3B-D). In CCRB case 200717516, one allegation of a vehicle search against Sgt. Siani was substantiated and §87(4-b). §87(2)(9)
		The Police Department declined to prosecute Sgt. Siani for the vehicle search and §87(4-b)
	O	§ 87(4-b), § 87(2)(g)
	0	In case 201008648, one allegation of a frisk against Sgt. Siani was substantiated, Sgt.
		Siani received Command Discipline B. <u>Conclusion</u>
Dυ	ring	his CCRB interview, \$87(2)(b) did not allege any use of profanity by either PO Ruger Siani. During his 50-H hearing \$87(2)(b), \$87(2)(a) Gen.Mun. \$50-H(3)
Th	erefo	There is no audio in the video surveillance recordings of the incident. ore, because \$87(2)(5) did not complain to the CCRB about any use of profanity by any
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officers, no allegations of discourtesy have been pled.

Identification of Subject Officers

PO Ruger and Sgt. Siani confirmed their participation in the incident. Allegations A and B have been pled against PO Ruger because she admitted to stopping and searching \$87(2)(5) without being instructed to do so.

During his CCRB interview, \$\frac{8.87(2)(b)}{2.000} initially stated that he did not recall whether PO Ruger searched him. After \$\frac{8.87(2)(b)}{2.000} viewed the video recording of the incident, which shows that PO Ruger searched his left hoodie pocket and lifted up and searched underneath \$\frac{8.87(2)(b)}{2.000} s hoodie, he stated that he did not see PO Ruger lift up his hoodie during the incident. \$\frac{8.87(2)(b)}{2.000} complained that he was searched in his Notice of Claim and his 50-H hearing. The video of the incident shows that PO Ruger was the only officer to search \$\frac{8.87(2)(b)}{2.000} It is undisputed that Sgt. Siani did not instruct PO Ruger to search \$\frac{8.87(2)(b)}{2.000} Therefore, Allegation C has been pled against PO Ruger.

Investigative Findings and Recommendations

Allegation A – Abuse of Authority: PO Lynn Ruger stopped \$87(2)(b)
Allegation B – Abuse of Authority: PO Lynn Ruger frisked 887(2)(b)
It is undisputed that PO Ruger stopped and frisked \$87(2)(b) It is undisputed that PO Ruger
did not question §87(2)(b) prior to stopping or frisking him.
Sgt. Siani stated that, upon exiting her car, PO Ruger told (\$87(2)(0)) to stop and show his hands. (\$87(2)(0)) stated that, upon exiting her car, PO Ruger repeatedly told him, "Come here" and instructed him to take his hand out of his pocket. The surveillance video shows that PO Ruger pointed at (\$87(2)(0)) and made statements to him immediately upon exiting her car and that (\$100) put his hands up. Therefore, the preponderance of the evidence supports the determination that PO Ruger stopped (\$100) immediately upon exiting her car.
PO Ruger stated that she exited her car and approached was in a gang, because \$87(2)(b) had made an abrupt turn away from her upon making eye contact with her, and because \$87(2)(b) cursed at her as soon as she approached him. During her CCRB interview, PO Ruger did not cite suspicion of any crime as a reason for approaching \$37(2)(b) However, PO Ruger's Stop, Question and Frisk Report notes that was stopped for suspicion of criminal possession of a weapon. The Stop, Question and Frisk Report lists "suspicious bulge/object: hand in waistband" as an additional reason for stopping \$37(2)(b) and notes under additional circumstances "area has high incidence of reported offense of type under investigation."
PO Ruger initially described the turn \$87(2)(b) made as "a complete 180," but later described it as a 90-degree turn. \$87(2)(b) stated that he was returning home from the store at the time of the incident and did not notice the officers until he was already on his stoop. The video of the incident appears to show \$87(2)(b) returning to his home. Due to the position of the surveillance cameras, it cannot be determined at what point he first saw PO Ruger.

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PO Ruger initially described \$87(2)(b) cursing while she was approaching him but later stated

that \$87(2)(b) yelled at her, asking her why she was "fucking" stopping him, prior to her even approaching him. Sgt. Siani described 887(2)(b) cursing at him and PO Ruger only after they had stopped him. \$87(2)(b) did not describe himself making any statements to PO Ruger prior to her approaching him but admitted arguing with the officers about why they had stopped him after he had been frisked. Therefore, the preponderance of the evidence does not support PO Ruger's claim that \$87(2)(b) cursed at her prior to her approaching him.
During her CCRB interview, PO Ruger stated that the note "suspicious bulge/object: hand in waistband" on her Stop, Question and Frisk report to referred to \$87(2)(0) standing with his back to her with his right elbow out. PO Ruger stated that she could not actually see right hand and did not actually see any suspicious bulge or object on his person. PO Ruger initially stated that she observed \$87(2)(0) in this position after she had exited her car and while she was telling \$87(2)(0) to turn around. PO Ruger later stated that she observed in this position as soon as he made his abrupt turn away from her, which would have placed PO Ruger in her car when she made the observation.
The video of the incident shows that (200) was facing PO Ruger from the moment she arrived at the location and that he did not turn his back to her until she physically turned him around while frisking him. The video evidence therefore directly refutes PO Ruger's claim that she stopped (200) because he was standing with his back toward her with his hand by his waistband.
PO Ruger was shown the video recording of the incident and asked if she recognized any moment in the video as the moment during the incident when she had allegedly seen with his hand at his waistband. PO Ruger's union representative suggested that the moment could be seen at 3:08:32 p.m. in the video, and PO Ruger agreed.
PO Ruger then stated, referring to 3:08:39 p.m. in the video, "And then right, you know, at that moment, his right hand." At 3:08:39 p.m. in the video, \$87(2)(b) is on the stoop of facing out toward the street, and PO Ruger is still in her car, which is coming to a stop two car-lengths away from \$87(2)(b) to his right. \$87(2)(g)
PO Ruger stated that she frisked \$87(2)(b) because she suspected that he may have had a weapon and that she suspected that he may have had a weapon for the same reasons that she stopped him and for the additional reason that \$87(2)(b) allegedly failed to comply with instructions to turn around to face her. PO Ruger did not cite failure to comply with instructions as a reason for frisking \$87(2)(b) in the Stop, Question and Frisk Report. PO Ruger stated that she only frisked \$87(2)(b) s waistband, but the video of the incident shows that she also frisked his groin and ankles. PO Ruger did not explain why she frisked \$87(2)(b) s groin and ankles

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The video of the incident shows that \$87(2)(b) never had his back to PO Ruger until she turned him around while frisking him. The video evidence therefore directly refutes PO Ruger's claim that she frisked \$87(2)(b) because he refused to comply with instructions. The Stop, Question, and Frisk Report notes "inappropriate attire" as a reason why PO Ruger frisked \$87(2)(b) During her CCRB interview, PO Ruger did not recall what was inappropriate about \$87(2)(b) s attire. There does not appear to be anything obviously inappropriate about \$87(2)(b) s attire in the video as compared with the attire of the PO Ruger and Sgt. Siani: \$87(2)(c) is seen wearing pants and a hoodie and the officers are seen wearing plainclothes with jackets.
A police officer may only stop an individual if the officer possesses a reasonable suspicion that the individual has committed, is committing, or is about to commit a specific crime. An officer may frisk an individual in the course of a stop only if the officer has a reasonable suspicion that the individual is armed. People v. De Bour, 40 N.Y.2d 210 (1976) (encl. 1A-N).
Knowledge of an individual's association with a gang does not by itself provide an officer with reasonable suspicion, even in instances where the individual is encountered in close spatial and temporal proximity to a reported crime, in a high crime area, and walks away upon an officer's approach. People v. Posnjak ,72 A.D.2d 966 (4th Dept., 1979) (encl.1O). Knowledge of an individual's prior criminal history likewise does not provide reasonable suspicion, even in instances where an officer encounters an individual whom he or she has previously arrested, in an area with a high rate of occurrence of the crime for which the officer previously had arrested the individual, and where the individual changes direction upon sight of the officer. People v. Johnson, 64 N.Y.2d 617 (1984) (encl.1P-T).
§ 87(2)(g)
§ 87(2)(g)
The only reasons not directly refuted by evidence that PO Ruger provided for stopping and frisking \$87(2)(b) were her knowledge that \$87(2)(b) was a gang member with a previous arrest for criminal possession of a weapon and her observation of \$87(2)(b) turning away from her upon seeing her in a high crime area. \$87(2)(d)

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§ 87(2)(g)
§ 87(2)(g)
Allegation C – Abuse of Authority: PO Lynn Ruger searched \$87(2)(0) PO Ruger denied that she searched \$87(2)(0) However, the video surveillance recording of the incident plainly shows that PO Ruger searched \$87(2)(0) s left hoodie pocket and lifted up and searched underneath the front part of the bottom hem of \$87(2)(0) s hoodie. The video recording of the incident shows PO Ruger searching these areas without performing a prior frisk. PO Ruger never described feeling any suspicious objects on \$87(2)(0) in the course of frisking him.
An officer may search an individual in the course of a stop if the officer has probable cause to believe that evidence or contraband is concealed in the individual's clothing or if, in the course a lawful frisk, the officer feels an object in the civilian's clothing that feels as though it may be a weapon. People v. De Bour, 40 N.Y.2d 210 (1976) (encl. 1A-N).
§ 87(2)(g)
§ 87(2)(g)
Allegation D – Abuse of Authority: PO Lynn Ruger refused to provide her name to
stated that he asked PO Ruger for her name and that she told him her name was "Rivera." PO Ruger stated that \$87(2)(0) asked herself and Sgt. Siani simultaneously to identify themselves, although she did not recall whether \$87(2)(0) asked them for their names, shield numbers, or both. PO Ruger stated that she told \$87(2)(0) both her name and shield number and that she repeated her name and shield number over the intercom to \$87(2)(0) while
was in a position to hear her make this statement. Sgt. Siani stated that \$87(2)(b) and that PO Ruger did not ask PO Ruger for her name, that PO Ruger did not state her name to \$87(2)(b) and that PO Ruger did not at any point identify herself to \$87(2)(b) by the name "Rivera" or by any other false name. \$87(2)(b) did not hear any statements made by PO Ruger or Sgt. Siani.
§ 87(2)(g)
Allegation E – Abuse of Authority: Sgt. Christopher Siani refused to provide his name to
stated that he asked Sgt. Siani for his name and that Sgt. Siani replied that it was none of his business. Sgt. Siani denied that \$87(2)(0) asked him for his name and stated that he did not at any point state his name or shield number to \$87(2)(0)

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PO Ruger stated that \$87(2)(b) asked herself and Sgt. Siani simultaneously to identify themselves, although she did not recall whether \$87(2)(b) asked their for names, shield numbers, or both. PO Ruger stated that Sgt. Siani responded to \$87(2)(b) as request by stating his shield number and that she interrupted him before he stated his name. PO Ruger did not recall whether Sgt. Siani told \$87(2)(b) as is name at any point in the incident. \$87(2)(b) and did not hear any statements made by PO Ruger or Sgt. Siani. The video recording of the incident does not have audio.
PO Ruger's statement corroborates that \$87(2)(6) s claim that he asked Sgt. Siani for some form of identification and that Sgt. Siani acknowledged having heard his request. Sgt. Siani affirmed stated that he did not state his name to \$87(2)(6) and it was therefore in his interest to deny that \$87(2)(6) ever asked him for his name. Therefore, preponderance of the evidence supports the finding that \$87(2)(6) asked Sgt. Siani for his name, that Sgt. Siani heard this request, and that Sgt. Siani did not provide his name to \$87(2)(6)
NYPD Patrol Guide Section 203-09 requires officers to state or otherwise provide their name, rank or shield number upon request (encl. 1B).
§ 87(2)(g)
§ 87(2)(g)
Allegation F – Other Misconduct: PO Lynn Ruger intentionally made false official statements in violation of NYPD Patrol Guide Section 203-08. Allegation F – Other Misconduct: PO Lynn Ruger intentionally made false official statements in violation of NYPD Patrol Guide Section 203-08. PO Ruger made two claims about the incident to the CCRB that were directly disproven by video evidence.
First, PO Ruger denied that she searched [887(2)(5)] At 19:52 in the audio recording of PO Ruger's CCRB interview, she was asked the following questions and gave the following answers: Q: Did you search inside of any of his [887(2)(5)] s] pockets?
PO Ruger: No. Q: Did you ever place your hand inside of his clothing or any pockets? PO Ruger: Nnnn—in his—I',, I don't remember what he was wearing that day. He could have had like Definitely not in his pockets, no, and I don't remember what he was wearing. He could have had like a loose shirt that I didn't go in but, like something that you're wearing, if it was open, to get his waistband, I'm kind of like, then I'd be like in your shirt, but no, I didn't touch skin or anything like that.
The video recording of the incident shows that PO Ruger searched both the left pocket of should be should

Page 16 CCRB Case # 201204253 PO Ruger was shown the entire video recording of the incident. PO Ruger's attention was then directed to 3:09:04 p.m. in the video, at which point she is seen searching \$87(2)(b) so I selft hoodie pocket. The portion of the video showing the search of \$87(2)(b) was replayed for PO Ruger. At 37:47 in the audio recording of PO Ruger's CCRB interview, she was asked the following questions regarding what is seen in the video, and she gave the following answers:

Q: Are you putting your hand in his \$87(2)(b) s] pocket?

PO Ruger: No. That's possibly a t-shirt or some else that he had right here. Also you can see

that his boxers are pretty high, and those are his jeans. You know, that's his

waistband area. That's the area that I'm checking.

Q: Reviewing this video, you do not remember putting your hand inside of any

pockets?

PO Ruger: I didn't put my hand in any of his pockets. No.

The second false claim which PO Ruger made to the CCRB was that \$87(2)(b) had his back to her during the incident. PO Ruger repeatedly cited \$87(2)(b) having his back to her as having contributed to her suspicion that he had a weapon and, therefore, to her decision to frisk him.

At 14:12 in the audio recording of PO Ruger's CCRB interview, she was asked the following question and gave the following answer:

Q: What did you suspect him[\$87(2)(b) of?

PO Ruger: I thought that he had a weapon on him. He wouldn't show me his front.

At 17:28 in the audio recording of PO Ruger's CCRB interview, she was asked the following question and gave the following answer:

Q: Did you instruct him § 87(2)(b) to turn around?

PO Ruger: Yeah.

Q: Okay. Did he comply with that?

PO Ruger: No.

Q: How many times did you tell him to do that? PO Ruger: I don't know. I don't know an exact number.

O: More than once?

PO Ruger: Yes.

At 24:34 in the audio recording of PO Ruger's CCRB interview, she was asked the following question and gave the following answer:

Q: Did you actually see him \$87(2)(b) holding onto something with his hands? PO Ruger: Um, I saw, when, like I said, his back was towards me, so he could have had a, a shotgun there.

The video recording of the incident shows that \$87(2)(b) did not have his back towards PO Ruger from the time she arrived at the location in her car until she physically turned him around while frisking him. The video therefore refutes PO \$87(2)(b) s claim that \$87(2)(b) had his back toward her and that that him having his back toward her contributed to her suspicion that he had a weapon.

PO Ruger was shown the video recording of the incident. At 33:32 in the audio recording of her CCRB interview, the following question regarding her previous statements that \$87(2)(b) had his back toward her during the incident, and she provided the following answer:

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Q: Does watching this recording change your recollection? PO Ruger: I remember his \$87(2)(6)
The investigation has determined that the frisk and search of the Investigative Findings and Recommendations section of this report).
NYPD Patrol Guide Section 203-08 prohibits officers from intentionally making false official statements (encl. 1A-B). The act of intentionally making false official statements is not only an act of misconduct in itself, but it also increases the gravity of those acts of misconduct which the false statements serve to conceal. NYPD v. Ortiz, OATH Index No. 1626/97 (encl. 1V-AF).
§ 87(2)(g)
§ 87(4-b), § 87(2)(g)

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§ 87(4-b), § 87(2)(g)			
§ 87(4-b), § 87(2)(g)			
Team:			
Investigator:			
Signature	Print	Date	
Supervisor:	Print	Date	
Reviewer: Title/Signature	Print	Date	
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Title/Signature	Print	Date	